



Mr Christopher Gillard
General Manager
Corowa Shire Council
PO Box 77
Corowa NSW 2646

15/13636

Attention: Mr Bob Parr – Director Environmental & Planning Services

Dear Mr Gillard

Planning Proposal (PP_2015_COROW_003_00) to amend Corowa Local Environmental Plan (LEP) 2012 to correct minor mapping errors and reduce the minimum lots size of the villages of Balldale and Daysdale

I am writing in response to Council's request for a Gateway determination under section 56(1) of the *Environmental Planning and Assessment Act* 1979 with respect to the planning proposal to correct mapping anomalies and to amend the minimum lot size for the Balldale and Drysdale Villages.

As a delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway determination **(Attachment 1)**.

The Minister delegated plan making powers to Councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan. **(Attachment 2)**

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office (parliamentary.counsel@pco.nsw.gov.au) 10 weeks prior to the projected publication date.

A copy of the request should be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au) for administrative purposes.

The amended LEP map and GIS data is to be uploaded to the Departments FTP site at ftp://lepup:up_upload@203.3.194.247/ and the map information emailed to pocgis@planning.nsw.gov.au and a copy to westernregion@planning.nsw.gov.au

Should you have any queries in regard to this matter, I have arranged for Ms Jenna McNabb or Mr Tim Collins, Planning Officer to assist you. Ms McNabb and Mr Collins can both be contacted on (02) 6841 2180.

Yours sincerely

A handwritten signature in black ink, appearing to read 'a. albury', with a stylized flourish at the end.

8.10.15

Ashley Albury
General Manager, Western Region
Planning Services

Encl:

Attachment 1 – Gateway Determination

Attachment 2 – Written Authorisation to Exercise Delegation

Attachment 3 – Delegate Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2015_COROW_003_00): to amend the Corowa LEP 2012 to correct minor mapping errors and change minimum lots sizes for villages of Balldale and Drysdale.

I, the General Manager, Western Region of the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act, 1979 that an amendment to the Corowa Local Environmental Plan (LEP) 2012 to amend to correct minor mapping errors and change minimum lots sizes for villages of Balldale and Drysdale should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28** days as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).

No consultation is required with public authorities under section 52(2)(d) of the Environmental Planning and Assessment Act 1979.

2. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act, 1979. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
3. Prior to submission of the planning proposal under Section 59 of the Environmental Planning and Assessment Act 1979, the LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps'.
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 8th day of October 2015.

Ashley Albury
General Manager
Western Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Corowa Shire Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2015_ COROW_003_00	Planning proposal to amend the Corowa LEP 2012 to correct minor mapping errors and change minimum lots sizes for villages of Balldale and Drysdale

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 8 October 2015

8.10.15

Ashley Albury
General Manager
Western Region
Department of Planning and Environment

Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2015_COROW_003_00
Date Sent to Department under s56	8 September 2015
Date considered at LEP Review Panel	Considered by the Director Generals Delegate 30 September 2015
Gateway determination date	1 October 2015

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: